

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ILLIA KORNEA, et al

Plaintiffs,
-against-
JEFFREY A. MILLER, et al
Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 02/01/2023

ORDER

22-CV-4454 (PAE) (KHP)

KATHARINE H. PARKER, United States Magistrate Judge.

On January 27, 2023, Plaintiffs filed a “Request for Admission Under Federal Rules 26-37 and 45 of Civil Procedure.” (ECF No. 54.) The filing provides an overview of the documents exchanged by the parties during discovery and requests “Admission” of those documents. It is unclear to the Court what Plaintiffs are seeking by way of this document. To the extent Plaintiffs seek further discovery from Defendant Miller, including that Miller admit to the validity of or contents of the documents, Plaintiffs should not file such requests on the docket. To the extent Plaintiffs seek something from the Court, they should submit a short letter clarifying what it is they seek. The Court notes that it is premature for any documents to be admitted into evidence at this stage.

On January 27, 2023, Plaintiffs also filed a “Certificate of Service” of “Objections, Amended Complaint and Corrections.” (ECF No. 55.) The “Certificate of Service” references a “forgoing document,” but no document is attached. The Court assumes that this certificate of service refers to the document labeled “Objections, Amended Complaint and Corrections” that Plaintiffs filed at ECF No. 48. If Plaintiffs are referring to a different document, they should file a letter explaining what document they are referring to.

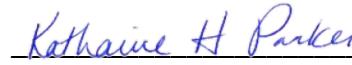
The Court does not construe the document filed at ECF No. 48 as an amended complaint, but rather this document appears to be Plaintiff's objections to the Report and Recommendation at ECF No. 45. To the extent Plaintiffs seek to file an Amended Complaint, they must do so as a stand-alone document (i.e. not attached to other requests, objections, or corrections) that complies with Federal Rule of Civil Procedure 8(a) and the other Federal Rules. The document should be labeled "First Amended Complaint" and should plainly and succinctly state Plaintiffs' allegations.¹ In the event Plaintiffs seek to amend the Complaint, they are encouraged to seek assistance from the NYLAG clinic or other legal assistance.

The deadline for amending the pleadings and joining parties is **Wednesday, March 1, 2023**. No amendments or joinder will be permitted after that date absent good cause.

The docket text at ECF No. 55 incorrectly reflects that an Amended Complaint was filed, and it sets a deadline for Defendant's answer. **The Clerk of the Court is respectfully directed to revise the docket text to reflect that no amended complaint has yet been filed.**

Dated: February 1, 2023
New York, New York

SO ORDERED.



KATHARINE H. PARKER
United States Magistrate Judge

¹ Plaintiffs also must obtain Defendants' consent to file an Amended Complaint or leave from the Court. Fed. R. Civ. P. 15. That said, Defendant Miller appears to consent to the filing of an Amended Complaint. (See ECF No. 50 at 2.)